

The Evening Standard

An Independent Newspaper
(ESTABLISHED 1870.)

CHEAP MONEY IS OFFERED.

Insurance money is pouring into Ogden on loans on real estate in the business district. The representatives of two large life insurance companies were in Ogden during last week, taking the preliminary steps in the loaning of large sums.

Much of this new money is to go into improvements on Washington Avenue, but the New York Life is planning to finance the building up of Hudson Avenue and more than one very large structure is under consideration as a direct result of the overtures of the big financial interests.

This is an expression of faith in Ogden which, coming from the outside and from cold, calculating experts familiar with property values and in touch with business prospects everywhere, should strengthen the abiding confidence which the people have in the future of their city.

WEST GAINS IN CONGRESS.

The new apportionment in congressional representation, which is to take effect in 1913, means a large gain for the intermountain and Pacific coast states in the lower house of congress. An eastern paper has divided the new membership in geographical groups, as follows:

New England States.			
New.	Old.	New.	Old.
Maine	4	Rhode Island	3
New Hampshire	2	Connecticut	5
Vermont	2		
Massachusetts	16	Totals	32
			29
Middle Atlantic States.			
New.	Old.	New.	Old.
New York	43	Maryland	6
New Jersey	12	Delaware	1
Pennsylvania	36		
		Totals	98
			86
Atlantic and Central South.			
New.	Old.	New.	Old.
Virginia	10	Kentucky	11
West Virginia	6	Tennessee	10
North Carolina	10	Alabama	10
South Carolina	7	Mississippi	8
Georgia	12	Louisiana	8
Florida	4		
		Totals	96
			91
North and West Central.			
New.	Old.	New.	Old.
Ohio	22	Missouri	16
Indiana	13	North Dakota	3
Illinois	27	South Dakota	3
Michigan	13	Nebraska	6
Wisconsin	11	Kansas	8
Minnesota	10		
Iowa	11	Totals	143
			136
Southwestern States.			
New.	Old.	New.	Old.
Arkansas	7	New Mexico	1
Oklahoma	8	Arizona	1
Texas	18		
		Totals	35
			28
Mountain and Pacific States.			
New.	Old.	New.	Old.
Montana	2	Nevada	1
Idaho	2	Washington	5
Wyoming	1	Oregon	3
Colorado	4	California	11
Utah	2		
		Totals	31
			21

No division of the country makes the same proportional gain as the Mountain and Pacific states. Nevada is the only state in this group that does not record a gain. The Western states will out-vote the New England states in congress for the first time since the organization of the government.

TAFT'S MESSAGE.

President Taft's opposition to the recall of judges, as expressed in his message vetoing the statehood bill, is the best presentation of the negative side of the question that has come to our notice. By comparison with Sutherland's brutal attack on the common people, in an effort to discredit the recall, Taft's message is a brilliant presentation of the side of the reactionaries.

The Salt Lake Tribune, not very often in harmony with this paper, makes an able reply to Taft's message in the following editorial:

"There is a singular narrowness apparent in all the discussions against the proposition involving the recall of judges. Every argument that we have seen in opposition to the recall of judges has been based on the proposition that the people, in case they have the power, would recall judges on the basis of decisions that they render, or rulings they make. It is assumed all the time by the opposition to this recall that the people of politicians wish to dictate what the judges shall decide from the bench. But, the recall of judges has been in the constitution of Oregon for some time, and no judge has yet been recalled, nor has there been any serious proposition to recall any judge, because of any decision made, or ruling in any trial.

"Nor do we believe that the people, if they have the opportunity to recall judges, would recall them with that gay celerity with which they recall mayors and councilmen of cities, for every one would recognize that the recall of a judge is quite a different matter from the recall of some administrative or political official.

"One can easily conceive of a number of reasons why judges might not unfairly be subject to recall, entirely independent of any proposition of punishing them for their acts or decisions. There has been, for instance, a very strenuous effort in many of the states to require the judges to keep up with their calendars, and not allow them to be so clogged as to practically deny remedies in court to suitors. These efforts have taken the extreme form in some cases of requiring judges to certify that their calendar is clear before they can draw their quarterly salaries. This had a bad effect, however, and was not widely imitated. But there is no doubt of the prevalent discontent of the people, a discontent known to be shared and strongly voiced, even by President Taft himself, at the ineffective and tardy processes of our courts. The delays amount to a denial of justice; the technicalities, the quibbles that are given importance, all tend to discredit the judiciary of the country, and the American Bar Association has joined with President Taft in preliminary efforts to remedy this trouble. But, when judges pay no attention to these complaints, allow their calendars to become clogged while they procrastinate and hold brief and ineffective sessions of their courts, the public, joining with President Taft, and the high-minded members of the National Bar Association, is demanding a remedy. One remedy might be the recall of a judge who was a flagrant offender in this respect.

"Another reason for the recall of a judge might be his personal character. There have been attempts to impeach judges from time to time by reason of allegations against the character

of such judge; but, it is difficult to reach an adverse verdict on impeachment. There is a certain tenderness or reluctance to go harshly into the details of a judge's life who may be an offender. In such case the people could, in case the recall were in effect, administer the remedy quietly, and in the interests of the public. Doubtless other reasons for the recall of judges might be suggested as pertinent in special cases. We hold no brief for the argument in favor of recalling any officer whatever, but it seems to us that if any officers are to be recalled, there is no good reason why judges should be excepted. They are simply human like the rest of us, and are subject to the same mistakes, infirmities, and temptations, and, while we do not bring forward corruption as a cause for the recall of judges, we can well imagine a case where the whole community might be distrustful of a judge by reason of its conviction that he is corrupt, but in a way that the corruption could not be proved upon him in impeachment proceedings, but in which the popular judgment of recall might be both proper and effective.

"But what is desirable in all this discussion is to put the matter on a broader basis, and get away from the exclusive plea that the only reason why the recall of judges is sought to control their decisions through terror of the recall."

OPENING OF THE THEATRICAL SEASON.

The Ogden theatrical season opens tonight. This announcement will be well received by the theater-goers of this city and adjoining towns on the interurban lines. After several months of dark houses for big shows the opening of the Ogden theater occurs tonight.

Announcement has also been made that the Orpheum will open two weeks from tomorrow night with seven acts of vaudeville for two nights and a matinee. This is also most encouraging to the boosters of the city.

During the past two years theaters have suffered very badly in Ogden from the lack of support. Many of the prominent New York managers have cancelled their dates in Ogden and extended their engagements in Salt Lake City, to which place hundreds of theatergoers went from Ogden each week.

Manager Allison of the Ogden theater says that he has booked more than 150 big New York productions for the coming season. He says the list includes all the big successes of both sides of the Atlantic. Manager Goss of the Orpheum promises Ogden the best vaudeville attractions that will be seen in the United States. Every one of the seven acts that are booked for the Salt Lake house will be seen in Ogden first.

In relation to the maintaining of an Orpheum in this city it will be interesting to note that on every billboard, small poster and program advertising the Orpheum houses in about seventy or more cities, the name of Ogden appears among the others. The name will be printed in that list so long as the Orpheum keeps open in this city. In this way the patrons of this house are keeping the name of Ogden before the wide-awake people and spenders of America.

The same that is said in relation to the Orpheum applies to the Ogden theater in keeping Ogden's name prominent in the show world as well as on the route books of the big producing managers.

Ogden canyon has probably received better advertising and boosting from the theatrical people who have gone up there during their Ogden engagement than from any other sources. The people of the stage are good boosters—they can help "make" a town or they can "pan" it before the audiences of every place they visit.

If Ogden theaters are supported and kept open, Ogden will reap a benefit.

AVIATORS LOSE LIVES

Badger and Johnstone Meet Death at Exhibition in Chicago

CHICAGO, Aug. 15.—Two aviators, William R. Badger of Pittsburgh and St. Croix Johnstone of Chicago, both young men, lost their lives at the international aviation meet here today. In dying, both revealed the frailty of the craft in which two-score more aviators were curving and gliding about in the air, with scarcely a pause for the death of their contemporaries.

Death in both cases was due to unexplained accidents, probably the results of unsuspected defects in the mechanism of the machines.

Badger, a wealthy youth, came to his death in a pit in the aviation field. There had been a flaw in one of the wires of the propeller of the Baldwin machine he drove. The centrifugal force broke the propeller, upset the delicate equilibrium of the machine and Badger was dashed 100 feet to the bottom of the pit. His neck was broken.

Johnstone fell 500 feet under his engine and was drowned. Caught under the heavy engine in the Moisant monoplane, he was carried deep into Lake Michigan and his body was not brought to the surface until an hour later.

Badger Lived About an Hour. Badger lived three-quarters of an hour after he had been extricated from the wreck of his engine. He did not recover consciousness. His death was the first serious accident of the meet, although thirty-five fliers have dipped and glided here for three days, and experts say several similar accidents have been narrowly averted.

Badger flew, as he formerly drove racing automobiles, purely as an amateur. He was the stepson of John Goettman of Chicago, and was 25 years old. He possessed an independent fortune and gratified a well-developed speed mania.

In the early days of automobiles, he was among the first to make amateur records at Dayton and Palm Beach. The meet here was Badger's first public appearance. The big mechanical signboard after his death recorded that he had flown up to today just 2 hours, 13 minutes and 19 seconds. The flight that ended his life earned him possibly an hour more.

He fell in front of the grand stand and thousands of spectators were within a few hundred yards of the accident. Hundreds leaped the fence, fought past the line of police and rushed into the pit where the wrecked machine lay.

Men Continue Their Flights. The accident was announced through the megaphone, and five minutes later, while Badger was on his way to a hospital, attention and interest had reverted to the men still flying.

Through his friendship with Strang, Badger met Captain Thomas I. Baldwin. He bought an airplane outright and received his first flying lessons at Mineola, N. Y. On June 15, he made a successful flight and was granted a pilot's license.

Captain Baldwin after the accident withdrew all his machines from the meet. Badger's mother died recently, and, so far as is known, his stepfather, Mr. Goettman, was the only survivor.

SENATE ATTACKS TREATIES.

While the conference was proceeding in the state department the committee on foreign relations presented a report to the senate declaring the pending conventions with England and France would more likely provoke war than peace, if consummated in their present form. The report was in vigorous defense of the committee's course in recommending the elimination of the paragraph in the treaties conferring special powers on the joint high commission created by the conventions.

The attack upon the treaties concentrated on the question of the senate, as part of the treaty making machinery of the United States, giving its consent to the investiture of the joint commission with authority to determine, without consulting the senate, whether a matter of dispute is justiciable and subject to arbitration.

The report was presented by Senator Lodge of Massachusetts and the minority of the committee was granted a vote in which to present its views in support of the treaties as negotiated.

Committee Issues a Report. Declaring the unselfish attitude of the senate and contending that it was the duty of that body under the constitution to defend its own prerogative, the committee report said: "The inclusive of the senate as a part of the treaty-making power was provided upon mature consideration in the constitution and was deemed to be adapted to our system of government. It has, on the whole, proved of the highest usefulness for the preservation of the interests of all and every part of the American people. So long as that duty rests upon us we must continue to perform it with courage and firmness and without evasion or subordination."

"There are certain questions at the present stage of human development," the report concludes, "which, if thus forced forward for arbitration, would be rejected by the country affected without regard whether, in so doing, they broke the treaty or not. In the opinion of the committee, it should not be possible under the terms of any treaty, for such a deplorable situation to arise. Nothing ought to be promised that we are not absolutely certain we can carry out to the letter."

Breaker of War. "If the third clause of article 3 remains in the treaty it is quite possible that the unhappy situation just described might arise, and the treaty would then become, not what we finally hope will be a notable instrument of peace, but an ill-omened breeder of bitterness and war. For that reason, as well as on constitutional grounds, and in the best interests of peace and arbitration itself, the committee recommends that this clause be stricken from the treaty."

SEASIDE PARKS FOR NEW YORK. At last Greater New York, built upon one of the finest ocean fronts in the world, is to have its own seaside park—two of them, in fact. The board of estimate on Thursday adopted the proposals to acquire the site of the burned-over tract of Dreamland on Coney Island and the 250-acre strip of ocean front at Rockaway park, the one as a readily accessible resort, the other to be used, at first, as a site for hospitals.

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of Greater New York is in its direction, and within a few years, undoubtedly, the means of transit (rather than the means of transit) will be ample. Meanwhile, the hospital for tuberculous children, for which a fund of \$250,000, raised by the Association for Improving the Condition of the Poor, has been waiting since 1907, will be erected upon the Rockaway site provided by the city. A home for convalescents, relieving the pressure on the city hospitals, will also be placed at Rockaway. Doubtless extensions to the new hospitals will from time to time be made. This property could hardly be put to better uses.

But the strip of Dreamland should not be so restricted as not to include the property fronting Surf avenue. It is a narrow strip at best, extending 1000 feet along the shore front, and, as at present delimited, running back 700 feet toward Surf avenue. Except the city acquire the avenue (rather than the strip) it will be difficult to give the new Coney island park a proper character. Bazaars and places of cheap entertainment will fringe it, parasitic growths upon the area brought within the city's regulations of order and adornment. The breadth of Surf avenue, already belonging to the city, if the strip up to the avenue is acquired, it would separate permanently such cheap amusement places from the people's park.—New York Times.

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CLEANING HOUSE THE ELECTRIC WAY

is far cheaper than most people know. It costs only a trifle more to operate the motor of a Vacuum Cleaner than to operate a 16 C. P. Carbon Lamp. The cleaning is done so quickly that the cost of current is hardly worth considering. Manufacturers now make many styles and kinds of Sanitary Cleaners.

Utah Light & Railway Co.

GERMANY IS NOW AFTER A TREATY WITH U.S.

WASHINGTON, Aug. 15.—Almost in the same hour that the senate committee on foreign relations reported today to the senate its conviction that the recently negotiated arbitration treaties between this country and Great Britain and France were "breeders of bitterness and war," Germany, through its ambassador here, was announcing its desire to be a party to a similar arbitration compact with the United States.

Germany made known to Secretary Knox, through Ambassador Von Bernstorff, its acceptance of the general principles of arbitration as laid down in the secretary's draft recently submitted. A few exceptions were noted however, and Count Von Bernstorff will call Saturday for Germany to consult his government further. He will return in October.

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TYPOS ENJOY DAY OF FUN

SAN FRANCISCO, Aug. 15.—Spokane, Wash., was added today to the list of bidders for the next convention of the International Typographical union. The other cities contesting for the honor are Ottawa, Canada, Houston, Tex., Vancouver, B. C., and Cleveland, Ohio. The Cleveland delegation is strongest in its claims, declaring its city will receive 150 out of a possible total of 225 votes.

The various committees appointed by President Lynch will work tonight, preparing matters to be submitted to the convention. More than 150 propositions will be considered at the sessions Wednesday, Thursday and Friday, among the most important of which will be proposals to change the international law, affecting contract with employers; arbitration with the Newspaper Publishers' association, and final action in the case of unions which signed contracts for piece work before such agreements were prohibited by the referendum vote of May 17.

More than 1,000 delegates and members of the union visited Mount Tamalpais today, luncheon being served on the mountain top.

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rested for assault and battery as a result of his attacks. Mandino was arrested in the ring.

POPE'S CONDITION BETTER. ROME, Aug. 15.—The general condition of Pope Pius is tonight better. His strength has increased and his knee is less swollen.

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